**HIGH COURT OF UTTARANCHAL AT NAINITAL**
**Writ Petition No. 1005 (M/S) of 2006**

Sudhanshu Mishra (Pathak) Alias R.S. Jacobe
S/o Sri Raghunath Prasad Mishra,
R/o 14, Mohini Road, District Dehradun .....Petitioner

Versus

1.Smt. Sushila Devi Mishra
W/o late Sri Raghunath Prasad Mishra
D/o late Harswaroop Pathak,
R/o 14, Mohini road, Distt Dehradun
.....plaintiff/respondent

2. Smt. Sumati W/o & D/o unknown,
R/o 14, Mohini Road, District Dehradun.
3. Smt. Manjula Devendra W/o Sri Devendra Sharma
D/o late Raghunath Mishra,
R/o 14, Mohini Road, District Dehradun.
4. Devendra Kumar Tomar, S/o Sri Sukhveer Singh
R/o 170/107 Mohini Road, District Dehradun.
5. Civil Judge (S.D.) District Dehradun
6. Additional District Judge/F.T.C.VII Dehradun

.....respondents

Sri Sharad Sharma, advocate, for the petitioners
Standing Counsel for the respondent no. 5 & 6.

**Dated: 2.8.2006**

**Hon'ble Rajesh Tandon, J.**

By the present writ petition, the petitioner has prayed for a direction for disposal of the suit No. 511 of 2001 Smt. Sushila Vs. Sudhanshu Mishra and others.

Grievance of the petitioner is that the suit is pending since 2001 having been filed for the permanent injunction by the plaintiff/respondent. Prayer of the petitioner is that she is being harassed and various adjournments have been sought from time to time, as mentioned in para-12 of the writ petition, the same is quoted below:-

*12- "That again on 8.8.2005 the case was transferred to A.D.J./F.T.C. 7th by the order of District Judge, on 2.9.2005 the respondent no. 1 was not present, on 16.9.2005 adjournment was sought by respondent no.1, on 11.10.2005, 17.11.2005, 13.12.2005, 23.2.2006, 20.3.2006 & 4.7.2005 the case was adjournment on the application of respondent no.1. From the above it is apparently clear that the respondent no. 1 is unnecessarily getting the case adjourned for one reason or the other, which is prejudicing the petitioner."*

In view of the above, the respondent no. 6 is directed to dispose of the civil suit within a period of four months from the date of filing of the certified copy of the order.

Dated: 2.8.2006 **Rajesh Tandon, J.**